

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
November 2, 2017

---

**STUDY SESSION**

***Present:** Chair Heather Barnum, Commissioners Roger Child, Connie Deianni, Bret Gallacher, Kent Hinckley, Alex Leeman, and Rebecca Wayment, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson.*

**Farmington Rock Discussion**

**David Petersen** said during the last Farmington Rock discussion, one thing that stood out to staff was **Rebecca Wayment's** comment regarding the design standards Centerville implemented for the Parrish Lane corridor. He said it seems at this point, Parrish Lane looks like many other artillery streets throughout the Wasatch Front. Some of the commissioners commented that they do not want to see something similar in Farmington. He said staff started thinking about the differences between 200 W., which is a major arterial road into the City, and other arterial roads throughout the state. The commissioners and staff discussed some of these differences with 200 W., including it not having any retail, it is mostly built out, the School District owned park located on it, residential uses along it with some historic homes intermingled, freeway access only going one way, a freeway interchange that glides right into it, and the length of the road. **David Petersen** said all of these differences make 200 W. feel and act differently than many of the other freeway exits along the Wasatch Front. He feels regardless of the decision on Farmington Rock, this gateway into the City will most likely not lose its identity because the unique features it has will ensure it remains separate from other areas in the City.

**David Petersen** said interestingly enough, downtown Farmington also maintains its own separate identity due to its difference from other cities' old town downtowns. The commissioners and staff discussed these differences, which include the City's primary traffic isn't routed through downtown, it doesn't have any major intersections into the City, big box retailers stayed closer to other key access points within the City, it's a residential downtown, it is populated by County owned buildings, and it is not a lengthy Main St. **David Petersen** asked the Commission's opinion on why people want to live in downtown Farmington, as property values have held high. **Roger Child** said in talking with many of his neighbors in old town Farmington, many like the architecture styles of the historic homes and the variety of construction, they like the demographic diversity, and they like that they could upgrade into a neighbors' home without having to leave the area. He said many residents are within walking distance to the community pool, library, restaurants, post office, and more, which is also a benefit of living in the area. **Rebecca Wayment** said that many also like easy access to the open space of the mountain and the trail system the City offers. **David Petersen** said another benefit to living in old town is that after 5 p.m., the office uses clear out, and the area is essentially turned back over to the residents. He also pointed out that it is the only place where State Street travels from east to west.

**David Petersen** said in 1996, the City spent some money to hire a firm from Denver to create a Downtown Master Plan, which included minimal design standards and some perspective on how things should be oriented along the street. He said the Downtown Master Plan has been beneficial for the City since that time. He also pointed out that besides the Rock Hotel, a lot of commercial buildings in old town Farmington do not have Farmington Rock.

**David Petersen** said in looking over the City, staff is aware of 7 or 8 areas that could benefit from having a similar design palette created. He said doing so would eliminate the subjectivity of a Farmington Rock mandate, as well as the division that exists within the governing bodies regarding Farmington Rock. He said having a separate design palette for each area would give specific guidelines when new development comes in, and it would be more easily administered by staff and the Planning Commission. He said in doing so, each of the 8 areas within the City could better maintain its own identity within the City, which may or may not include elements like Farmington Rock.

**David Petersen** identified each of the 7-8 areas within the City on an aerial map, and discussed each area with the Commission. He suggested that the City consider hiring a consultant to help create a design palette for each area, which he feels could be accomplished within a few months. **Heather Barnum** asked if the City Manager would be willing to put forth money to hire a consultant. **David Petersen** said yes; the City Manager has agreed to entertain hiring a consultant. He said he feels the UDA Sub Area Master Plan for the property north of Park Lane is beneficial; however, it may also be beneficial to have a design palette included as part of it.

**Connie Deianni** asked what gives the City the authority to enforce something like a design palette. She feels that enforcement of Farmington Rock lacked on the City's part. **David Petersen** said the design palette could be an appendix to different chapters. He said if a developer wants to develop in a certain area, the design palette would have to be adhered to before development could begin. He feels it would also be beneficial to have a policy for individual areas versus a blanket policy for the entire City. He said it would also ensure more consistency in enforcement of the Ordinance.

**Heather Barnum** said she feels like it is a good solution to concentrate on various pockets within the City, and to maintain established identities for each area. **Connie Deianni** and **Kent Hinckley** agreed; **Kent Hinckley** feels it is a much more comprehensive solution than just requiring Farmington Rock throughout the City, but would also accomplish the goals the Commission has in preserving the look and feel of Farmington in a way that a Farmington Rock mandate could not. He suggested first considering a design palette for the area north of Station Park as that stands to change the most in the immediate future.

**Item #3. Jared Schmidt / Symphony Homes – Requesting final plat approval of the Rock Mill Estates Conservation Subdivision**

**Eric Anderson** said the property owner, Larry Haugen, received preliminary plat approval in 2007 for the Rock Mill Estates Conservation Subdivision. Mr. Haugen will soon be or has already sold his property to Symphony Homes for development. He said there are a few subtle differences between the approved preliminary plat and the proposed final plat; however, staff feels the final plat is a better product. He said the proposed final plat by Symphony Homes has one lot removed, and has the topography of the land taken into consideration to determine buildable areas. **Eric Anderson** also added that Lot 9 is a flag lot, and that the stem of the flag lot will double as access to the Farmington Creek trail. He said Parcel A is the applicant's provided open space; it will remain an unimproved open space field for now, but may be converted into an improved park in the future; it is under a conservation easement in perpetuity.

**Roger Child** expressed concern that the surrounding property owners are being landlocked with this subdivision. **Eric Anderson** said the property owner could access his property from the county road to the north or from the east; however, he is not any more landlocked than he already is. He also added that Tom Owen's property was included as part of the approved preliminary plat; however, Mr. Owens does not want to develop at this time.

**Eric Anderson** said the Commission previously discussed the tree preservation plan with the applicant. He said the applicant has followed it very closely; however, many trees not on the preservation plan were removed to allow for the construction of the lots. **Connie Deianni** expressed concern that some of the trees on the preservation plan could have been removed. She also asked if the Commission were allowed to walk the property, as there is a No Trespassing sign on the property. **Eric Anderson** said he is sure the applicant would be comfortable with the commissioners walking the property. He also said the applicant has marked the trees that will remain; the applicant is working hard to keep as many trees as possible as that is part of the marketability of the subdivision.

**Roger Child** asked about the size of lots. He saw online that the starting value for homes on these lots are \$750,000. **Alex Leeman** said the lots vary from 0.3 to 0.5 acre lots.

**Item #4. Alan Cottle – Requesting schematic subdivision and preliminary PUD master plan approval of the Brownstone PUD Subdivision**

**Eric Anderson** said the applicant is proposing 14 attached “for sale” townhomes with zero lot lines. He said it is considered multi-family because the individual units are attached, and in the BR zone it defers to Chapter 13 for density, lot size/dimensions, setbacks, etc. He said the requested density is already allowed by ordinance, so the applicant is seeking a PUD to allow for the zero setbacks on the side of the units. **Rebecca Wayment** asked about the allowed density on the property. **Eric Anderson** said the property is located in the BR zone, which defers to the R-8 zone for multi-family allowing up to 15 units per acre.

---

**REGULAR SESSION**

***Present:** Vice Chair Alex Leeman, Commissioners Roger Child, Connie Deianni, Bret Gallacher, Kent Hinckley, and Rebecca Wayment, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Chair Heather Barnum was excused.*

**Item #1. Minutes**

**Rebecca Wayment** made a motion to approve the Minutes from the October 5, 12, and 19, 2017 Planning Commission meetings. **Connie Deianni** seconded the motion, which was unanimously approved.

**Item #2. City Council Report**

**Eric Anderson** said there is nothing to report at this time since the City Council has not held a meeting since the last time the Planning Commission met.

**SUBDIVISION**

**Item #3. Jared Schmidt / Symphony Homes – Applicant is requesting final plat approval of the Rock Mill Estates Conservation Subdivision consisting of 20 lots on 10.45 acres of property located at approximately 50 West 600 North in an LR-F (Large Residential - Foothill) and OTR (Original Townsite Residential) zone. (S-3-17)**

**Eric Anderson** said property owner Larry Haugen received schematic plan and preliminary plat approval for the Rock Mill Estates Conservation Subdivision in 2007, which was later memorialized by development agreement. Symphony Homes has since taken the project over, and are now requesting final plat approval. He said there are a few differences from the approved preliminary plat and the proposed final plat, which includes the removal of one lot and no longer developing the adjacent Tom Owens property as Mr. Owens does not want to develop at this time. **Eric Anderson** also said that the topography of the property was not taken into consideration during preliminary plat; all lots proposed by Symphony Homes on the final plat have considered the topography and are buildable. He said under the conservation easement requirements, open space is provided, which is outlined as Parcel A. He said for the time being, it will remain as an open field, but it is under a conservation easement.

**Eric Anderson** referenced the layout of the proposed subdivision. Lot 9 is a flag lot that conforms to all flag lot standards. He said the stem will also serve as an access to the Farmington Creek trail, and it will have a public access easement over it to allow for trail access.

**Eric Anderson** said Lot 10 will have frontage on 90 W., but it was recently discovered that 90 W. does not have dedicated right-of-way (ROW). **David Petersen** said the plat map states 90 W. is a "road" and may even use the word "public." Additionally, Mr. Bradshaw, a nearby property owner, accesses his property by crossing the bridge on 90 W.; he would be landlocked without it. Staff talked with the County Surveyor, and 90 W. is not dedicated ROW. Staff has completed a dedication plat, and City Council has approved it, so staff is now waiting for the signature of the County Commission as owner to dedicate the ROW.

**David Petersen** said there is one other related issue that was recently discovered; he briefly met with the applicant in the hall to explain the situation to him. He said Lot 10 appears to be landlocked; however, it would actually have frontage on the dedicated ROW of 90 W., if the County chooses to dedicate it. When staff talked with the County Commission, the County Commission stated they may dedicate just enough for property owner Mr. Bradshaw to have access to his property, which could then potentially sabotage Lot 10. Staff explained the situation to someone in the County Commission office, and that person was going to explain it to the County Commission. **David Petersen** said he believes the item will go before the County Commission soon for a vote.

**David Petersen** said there was previously a cul-de-sac shown on the development agreement for the south side of the subdivision; however, the topography of the property had not been taken into consideration. He said when Symphony Homes got into the project, they considered the topography of the land and loosened the lot sizes as a result so the project was not so tight. He feels the developer's alternative if the full dedication of ROW is not granted would be to put the cul-de-sac back in, but that decision could be damaging to the subdivision. **David Petersen** said the Fire Marshall has approved the current plans' accesses and turnarounds for those lots adjacent to 90 W.

**David Petersen** said there is a chance the County Commission does not approve the full length of the dedication of ROW on 90 W. In the event that happens, there may be an alternative the applicant can take to still move forward with the current plans. He passed out Chapter 12-7-030 of the Zoning Ordinance for the Commission's review. In paragraph 2, it states, "Private streets shall not be permitted unless the Planning Commission finds that the most logical development of the land requires that lots be created which are served by a private street or other means of access, and makes such findings in writing with the reasons stated therein." **David Petersen** said based on the Ordinance, the Planning Commission can still approve the layout of the development as is, in the event the County Commission does not approve the full length of dedication of ROW.

**David Petersen** said the Commission can choose to add a condition stating the applicant can move forward based on this section of the Ordinance or the applicant can come back before the Commission in the event the County Commission does not grant the full dedication.

**Kent Hinckley** asked if the County Commission does not approve the full dedication, would the placement of the private road approximate the current location of 90 W. **David Petersen** said the staff is confident the County Commission will grant dedication up until Mr. Bradshaw's property, but are unsure if it will go beyond that point. He said the private road would be the stem of the driveway of Lot 9, which would be the only access to the properties. He said the reason why it is so crucial to keep the current layout is because it loosens up the lots to make the lots more buildable. He also said it is crucial because it is the precipice to the trail; the stem is even with the Farmington Creek dam. He said there is no other way to make a local trail connect, except for the private drive. He said there is a public purpose for granting the private drive. He said the City would like the trail connection. **Eric Anderson** also pointed out that the trail is part of the memorialized preliminary plat. The applicant said they would provide a trail connection, and have shown a couple different locations; however, this connection makes the most sense. **David Petersen** also said providing the trail is in the 2010 development agreement.

**Rebecca Wayment** asked for clarification on the Ordinance with regards to homes having to face street frontage. She asked if the dedication of 90 W. takes place would a home on Lot 10 have to face 90 W. **David Petersen** said the 90 W. would only be a ROW on paper. He said the home on Lot 10 will still face north as it will still front the private drive next to the flag lot.

**John Wheatley**, 526 N. 400 W., North Salt Lake, said Symphony Homes has taken over where the property owner left off with preliminary plat. He said the property has a lot of trees and a steep slope that runs along the back of lots 9 and 10. He said they have adapted the final plat so the homes on those lots do not push against the extreme slope, which is why there is a need for a private drive. He said it is their intent to preserve as many trees as possible. They felt it was important to reduce the density to allow for a smooth transition between the slope while preserving the trees. He also added that they are willing to abide by the proposed conditions listed in the staff report.

**Roger Child** asked if there is any prescriptive easement that extends beyond the pavement and the gate on that private drive. **David Petersen** said no, there is no prescriptive easement that extends. **Alex Leeman** said right now it is one single parcel that is not landlocked until the lots are subdivided. **David Petersen** said if Mr. Bradshaw were to ever get a dedicated ROW or an improved street back to his property, he will need a wider road than he currently has, which would push the County's gate to the north to allow for a public road to go across to Mr. Bradshaw's property. He said if the County is concerned about dedicating the ROW that far north, they have to dedicate the ROW just past their current gate. He said in talking with the County's staff, he is unsure if the County will dedicate that far north.

**Alex Leeman** said even if 90 W. is not dedicated, he does not have an issue using the private road mechanism as outlined in the Ordinance. He feels it applies in this situation because there is a parcel that cannot be accessed in any other way. He said this provision was used in Pheasant Hollow to approve the private road; he feels this is an even more extreme case as there is no other way to develop or access the odd shaped parcel. **David Petersen** also pointed out that a development agreement was approved for the property, which showed a layout similar to what is being presented, so approving it would be consistent with the agreement.

**Kent Hinckley** asked if an HOA would be maintaining the private road. **David Petersen** said two lot owners would maintain the private road, and that the reciprocal access easement outlines who pays for what, how it will be maintained, etc. The reciprocal access easement also allows the public to use it,

so residents can walk in front of the homes in order to access the pond. **Rebecca Wayment** said she does not see that outlined in the motion. **Alex Leeman** said the easement is depicted on the plat, but that the rest will come later when the CC&Rs are created for the area, which most likely will carve out something specific for Lots 9 and 10 regarding the private road and maintenance of it. **Rebecca Wayment** expressed concern that this is the last time the Planning Commission will see this project because it is the final plat. She wants to ensure it is addressed.

**Connie Deianni** asked the applicant for more explanation on the tree preservation plan that is included in the staff report, and what it entails. **John Wheatley** said the red areas on the tree preservation plan are trees they plan to preserve. Prior to the beginning of construction, orange snow fences will be placed around the trees with metal stakes around it to ensure construction vehicles do not drive on the roots of trees. If construction vehicles drive on the roots of the trees, the trees will not survive. **Connie Deianni** asked if the trees in red are still located on the property, as it looks like from the street view that the trees have been removed. She also asked about the purpose of the black fence surrounding the property. **John Wheatley** said the black fence has to do with storm water protection. He said the trees located on the preservation plan are still there, but are tucked back on the property. He said he had a meeting with the construction manager to ensure the snow fences were in place before any construction vehicles enter the property. He said the tree preservation is top priority for them because if the trees are lost, the beauty of the site is not the same.

***Motion:***

**Kent Hinckley** moved that the Planning Commission approve the final plat for the Rock Mill Estates Conservation Subdivision subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The City shall vacate portions of the 600 North right-of-way for Lots 1 and 2, as per the development agreement, prior to recordation of the plat and subject to City Engineer approval;
2. The applicant shall address all storm water issues prior to the scheduling of a pre-construction meeting, subject to approval by the City Engineer;
3. The applicant shall revise the gravity sewer laterals for Lots 4 and 5 subject to approval by Central Davis Sewer District;
4. The applicant shall conform to any relevant foothill development requirements set forth in Section 11-30-050 of the Zoning Ordinance prior to recordation;
5. The access road for the sewer line on Lot 3 must be constructed of a hard surface, as per Central Davis Sewer District specifications;
6. The applicant shall address any outstanding issues raised by the city DRC prior to recordation;
7. The CC&Rs shall address maintenance of the private road between lots 9 and 10.

**Bret Gallacher** seconded the motion, which was unanimously approved.

After the motion was made, staff and the commissioners discussed next steps if the County Commission does not approve the full dedication of ROW. The commissioners felt comfortable waiting for the final decision before a motion is officially made approving the private street based on paragraph 2 of Chapter 12-7-030. It was also noted that in the event the item does come back before the Commission, the commissioners do not see a need for the applicant to attend the meeting since the commissioners already know about the item.

**Findings for Approval:**

1. The proposed final plat is mostly consistent with the approved and memorialized preliminary plat and development agreement for the subdivision. However, while the final plat has inconsistencies with the preliminary plat, it is an improvement by proposing less density, and more realistically laying the subdivision out so that it is buildable.
2. The proposed subdivision meets and exceeds all the requirements for approval of a final plat as per the ordinance.
3. The proposed subdivision meets all of the requirements set forth in Chapter 12 of the Zoning Ordinance, related to Conservation Subdivisions.
4. The densities proposed are consistent with surrounding neighborhoods.
5. The applicant has received approval from the City Council for the street cross-section modification in the subdivision.
6. The applicant received approval from the Planning Commission for a tree preservation plan and has followed that plan.
7. The proposal provides a trail connection for the subdivision to the Farmington Creek Trail and Farmington Pond that is buildable and manageable, and that will increase connectivity for the area to both the City's trail and park systems.
8. As part of the memorialized development agreement, the property owner dedicated 2 acres of open space that is under a conservation easement; the land abuts the Old Mill and Farmington Pond, and may be a great asset in the future to the City connecting these two resources.

**Item #4. Alan Cottle (Public Hearing) – Applicant is requesting schematic subdivision and preliminary PUD master plan approval of the Brownstone PUD Subdivision consisting of 14 lots on .99 acres of property located at approximately SR106 and 200 East in a BR (Business Residential) zone. (S-15-17)**

Eric Anderson said this property is located in the BR zone, which defers to the R-8 zone for any “attached” residential uses. The R-8 zone allows for 15 units per acre. The property is 1 acre, and the applicant is proposing 14 units. The applicant is requesting a PUD overlay to allow for flexibility on the side setbacks. The applicant would like to do attached “for sale” townhomes, so the zero lot line would go between the units. The applicant also provided landscape plans and front elevations. Eric Anderson said the approval of a PUD is a legislative decision; the design standards for the PUD have to meet the Planning Commission's approval. As part of the approval, he said the commissioners should also consider the landscape plans and elevations of the units. Staff is recommending approval of the item; staff feels it is a good infill project for the area and it meets all the standards of the ordinance, except for the side setbacks, which would be allowed with a PUD approval.

Rebecca Wayment expressed concern regarding the topography of the site, including the steepness and drainage of the property. Eric Anderson said as part of the schematic plan, the applicant shows the conceptual layout of the site. If it moves forward to preliminary plat, the applicant is then required to show road layout and water retention and drainage, so those concerns would have to be addressed during the next step of the approval process. David Petersen said Condition #3 to the motion states that all driveways have to meet the 14% slop requirement. He said when staff went on site to review the property, they noticed the steep climb on the east side of the property. David Petersen expressed his concerns with the conceptual layout of the project, as it will be very challenging to have a road that connects to the dedicated ROW, and has a decent slope. He said if a lot of fill was brought into the property to prop up the roads, he is unsure how the driveways would swoop down to the units. He said he is unsure if the applicant's current layout of the property can work. He also suggested the Planning Commission take a field trip to walk the property site.

Alan Cottle, 801 N. 500 W. Ste. 103, Bountiful, with Cottle Homes, said they have worked out quite a bit of engineering regarding the topography of the property. They are confident the plan presented can work, but it would require a retaining wall in the southeast corner of the lot. He said this

property is located in the historic district; they would like to dress it up so it fits with the area. He said the elevations provided are preliminary. He said after obtaining Planning Commission and City Council approval, they will engage with an architect to finalize the design of the units. He said they have a number of clients already interested in the units; those clients consists of empty nesters and single moms. He said they cannot have steep driveways, so they do not plan on approaching a 14% driveway incline, but hope to have units with a main floor garage. He said in order to accomplish a main floor garage, a lot of fill will have to be brought in. Due to the proposed layout, the road may end up elevated 4-6' from where the property sits now. He said their hope is to have units with daylight basements, but that a lot of fill will be generated during the construction of the units. They will use that fill to elevate the property. He said they may also have some retaining work to do on the north side of the property. He said their hope is to have units with flat back patio yards, lower sloped driveways, and basements.

**Alex Leeman** asked the applicant for clarification that units 5-7 would have a retaining wall on the back of their property line, as well as level driveways. **Alan Cottle** said yes, units 5-7, as well as units 1-4, would have a retaining wall along the back of their property. He would like the patio yards to be flat so there can be grass. He said they are also trying to keep driveways as level as possible.

**Rebecca Wayment** said she likes the provided elevations of the front of the units, but wondered about the look of the back of the units. **Alan Cottle** said the backs will be just as charming; he said he is happy to show back elevations at a later date. He described some of the features the units would include on all sides. He also said they would include plantings to minimize the look of the retaining wall.

**Alex Leeman** asked staff's opinion on the applicant's explanation as to how they plan to work the slope of the property. **David Petersen** said he would like to walk the site with the applicant. **Alan Cottle** said he is happy to walk the site with staff and the Commission, if anyone is interested.

**Alex Leeman** opened the public hearing at 7:48 p.m.

**Alex Leeman** entered an email into the record from **Ray Cox**; it has been reviewed and noted by the Planning Commission.

**Ray Cox** was present, but asked his granddaughter to speak on his behalf.

**Brindle (Madi) Brendadge**, 37 S. 200 E., said she lives with her grandfather Ray Cox and would like to read a written statement from him. It stated that when Mr. Cox previously submitted his email to the Commission, he had read a report that an apartment complex was being considered, but now understands that what is being presented is slightly different. He said many of his concerns still exist with the project. He said he has concerns with the safety and lack of convenience of the street accesses presented in the schematic plan. He said there is an approximately 15-20' elevation difference from the property to 200 E. He has also heard that UDOT most likely would not allow for a curb cut onto 185 E (SR106), which would mean 200 E. is the only option for street access into the property. He said he has safety concerns for when the road is covered in snow and ice; he feels stopping on any incline would be impossible, but an incline most likely would be included with the large elevation difference up to 200 E. He expressed concern that there is no place for kids to play in the subdivision and that there is no additional parking for visitors. He feels the developer is trying to fit a lot of density into one area.

**Lynn Bradak**, 188 E. State St., said her property borders this property. She said she wished someone would have come to the surrounding properties to let them know what was going on. She said she has been involved in planning and building various housing areas in Salt Lake County before she retired. She said there are some things about this particular proposal that confuses her. She said she does not see adequate access for a fire engine. She also expressed concern about the applicant's desire to build units with basements, as there is a high water table on this property. She said there is a seep



also located on the property, and deer live near the seep year round. She asked that the wildlife be taken into consideration, as well as how the 200 E. access will affect her access to her property. She also asked that she be put on the City's contact list so she can be aware of any further updates on this project. **Alex Leeman** said the City is required to send a notice to neighboring residents when a project is being considered, as well as an A-frame sandwich board set on the property. **Eric Anderson** said that on the City's website, residents can sign up to be emailed the list of agenda items for every meeting. **David Petersen** also said to call the City's planning department, and they can sign someone up for the emails.

**Vicky Valentine**, 216 E State St., said there is no question in her mind that 200 E. would be negatively impacted by this plan. She said 200 E. is a beautiful, quite road. The proposal looks like there is only one place for one car per unit so she feels that will leave many people parking on 200 E. since it most likely will be the only access to the project. She feels this proposal will generate more traffic and noise, cause parking problems, and have more odor from the units' trash.

**Bryce Davidson**, 40 N. 325 E., said the City's General Plan has this property listed as the BR zone, but it does not seem to be falling under that zone. He asked why the General Plan zoning does not apply. **Alex Leeman** said the BR zone defers to the R-8 zone for multi-family residential. Additionally, the applicant is applying for a PUD, which is allowed under the City code. A PUD is an overlay with its own additional requirements. **Bryce Davidson** said that his main concern is regarding the density of the project. He said he is a 40 year resident of Farmington; he feels the City has always had a lot of foresight in their planning to ensure the City is a well planned community with lots of open space. He feels in the last decade, lots of variances have been given and density has been increasing. He said he understands property owners have property rights, but he feels property owners should still have to comply with existing zones. He feels variances should be granted on a very minimal basis. **Alex Leeman** clarified that the proposed density for this project is allowed within the zone, and that the PUD the applicant is applying for only modifies the side setbacks so the units can touch.

**Nicole Tanner**, 174 E., State St., said she is not opposed to this project. She said she is a crossing guard, and her concern is how people will access 185 E. (SR106). She said if there is an emergency access to 185 E. with a crash gate, the only way for people to get across 185 E. is to walk. She said there is no sidewalk on that side of 185 E. She expressed concerns with people walking across a busy street, especially without a painted crosswalk or sidewalks.

**Sherone Valentine**, 216 E. State St., said Farmington was settled in 1852, and is a very historic city. She said Farmington has set values that it proceeds to keep. She said the hill on State Street, up past 200 E., where she lives is a hill used heavily by the junior high for the track team's exercise, mountain bikers, kids on scooters, and more. She said there are only 3 driveways on 200 E. She said with a new development, like what is being proposed, the hill will never be the same. She said she has concerns regarding the density of the project, and feel there are too many townhomes being proposed.

**Alex Leeman** closed the public hearing at 8:04 p.m.

**Alex Leeman** asked if the developer would be required to improve 200 E. **Eric Anderson** said the applicant would be required to improve their frontage of the road, but the City cannot force them to improve beyond their property. **Rebecca Wayment** asked what improvements the applicant would have to make to the road. **David Petersen** said in addition to the road, the improvements would also include curb, gutter, sidewalk and park strip. **Alex Leeman** asked if the only access to the development would be 200 E. He has concerns because 200 E. does not have any real traffic on it. **Eric Anderson** said if UDOT allows access onto 185 E. (SR106), then there would be a second access; however, staff doubts UDOT would allow that to happen. **Connie Deianni** asked if the crash gate from 185 E. would be the

only access for fire engines. **Eric Anderson** said fire engines could access from both ends of the project, the crash gate on 185 E. and the main access on 200 E. He said the Fire Marshall has worked with the applicant, reviewed the proposal, and given his buy off in terms of the proposed road through the project and the radii of the internal road. **Alex Leeman** asked if the road through the project would be a public or private road. **Eric Anderson** said it would be a private road.

**David Petersen** said the General Plan is considered a recommendation in the state of UT. He said the City tries to be as consistent as possible in following the General Plan, but the zoning map grants entitlement to property owners. He said this property is listed in the BR zone. **Eric Anderson** added that in Chapter 15 of the Zoning Ordinance, in the BR zone, multi-family residential uses defers to the R-8 zone, which allows for 15 dwelling units per acre. He said the applicant's goal is to avoid apartments, but the applicant still has the right to build apartments. He said the applicant would rather do "for sale" units, which means each unit has its own separate lot line, but that the lot line would be the shared wall between the units. He said it would also mean that each unit is owner-occupied, and not a rental. **Eric Anderson** said the applicant is applying for a PUD so he can deviate from the standards of the underlying zone regarding the side setbacks. A PUD would allow the developer to do the owner occupied units that touch. He said what the applicant is proposing is an upgrade in value of the neighborhood by avoiding an apartment complex or rental units.

**Connie DeIanni** asked if the road improvements to the frontage of their property would be completed prior to construction. **David Petersen** said what typically happens is that the contractors will use the current road during construction. He said this means the current road will be compacted by the large construction equipment, but the road's completion would be required before occupancy and would be nice and smooth for the new residents. He said doing it this way is beneficial in the long run for the property owner and the City.

**Rebecca Wayment** thanked the applicant for taking the PUD route in lieu of building an apartment complex. She said she has concerns regarding the topography of this site as it relates to the amount of fill that would be needed in order to level it out, as well as the retaining walls, basements, and more. She said she would be more comfortable seeing the site in person to better understand the topography and visualize what the applicant would like to build. She said she likes the front elevations provided by the applicant, but she expressed concern regarding the view the surrounding neighbors would have of the back of the units. She said she is unsure the purpose of the crash gate off of 185 E. (SR106) since it seems it would be a very steep drop after the elevation is raised for the project; she wondered if a fire truck could even access the project through the crash gate due to the potential steepness of that road. **Rebecca Wayment** also echoed the parking concerns that were previously mentioned. She said she is unsure if the units are single car garages. She asked where visitors would park, especially since 200 E. is a small, unimproved road. She said she does not mind the density of the PUD, but would like her other concerns addressed as well as doing a site trip.

**Alex Leeman** said he recognizes it is not a requirement, but often developers, in good faith, will knock on neighbors' doors to let them know what is being considered for the development. He said he is concerned that the applicant did not take that good faith step in this neighborhood. He said he also has concerns regarding a large retaining wall being built in the backyard of some of these surrounding residents. **Alan Cottle** said that his lack of talking with the neighborhood was not intentional. He said he used to work regularly with Max Forbush, the City Manager at the time. He said it was his understanding that he brings the schematic plan before the Commission for opinions, and hopefully approval; then, as he moves forward in the approval process, plans and elevations are finalized, neighbors are talked to, etc. He said he must have misunderstood the nature of this public hearing, and apologized. He said he is happy to sit down and talk with any interested resident.

**Alan Cottle** said they have many ideas on how to beautify the retaining walls, including landscaping with trees or ivy or including a step design to allow for additional plantings. He said the north side retaining wall would be approximately 2-4', so it will not be overly large. He also said that the units will have a two car garage, which also then allows for 2 cars to be parked in the driveway, so each unit could hold up to 4 cars. He said one of the reasons for the decrease in density is to allow for roomier driveways so unit owners do not have to worry about parking on the street. **Alex Leeman** asked if the PUD would allow for street parking. **Alan Cottle** said he does not think there would be enough room on the private road for street parking. He said there may be additional room closer to where the crash gate would be located to allow for a few visitor parking stalls. He said if UDOT does not allow for a curb cut, he would like to dress the crash gate access up with a nice monument, brick pavers, and a nice pedestrian walkway to allow residents to access the bus and other services available on 185 E. (SR106).

**Kent Hinckley** asked about what is being presented to the Commission for tonight's consideration. He said it seems the main issue is strictly the setback for the side yard; however, many appropriate questions and concerns have been brought up. He asked if those concerns would be resolved at a future step in the approval process, or if those concerns should be considered at this point in the approval process. **David Petersen** said questions regarding the elevations of the units need to be considered at this step in the process, which include elevations of the back and sides of the units. **Kent Hinckley** said he has concerns with visualizing what the applicant is describing for this property. He feels it would be beneficial to have the elevations in hand when visiting the site to get a better idea of how high the property would be raised, a visual of the retaining wall, and more. **Alan Cottle** said he is happy to draw up additional elevations of the rear and sides of the units, as well as do a site tour with the commissioners.

**David Petersen** asked the applicant if the building would take up the entire footprint shown on the schematic plan or if there is a small amount of room in the back of the property for something like a barbeque or other home items. **Alan Cottle** said the buildings will take up the whole lot width, but there will be an additional 3' of space in the back. He said they plan to have a rear patio or small deck. He said they have not decided if each back lot will have a fence surrounding it for a little privacy, or if it will remain open.

**Connie Deianni** said a seep on the property was mentioned by residents, as well as the wildlife currently living on the property. She said she recognizes that nothing may not be able to be done regarding it, but said that she recognizes that kind of open space does contribute to the quality of life of the community. She asked if there has been any consideration to preserving some of that open space by decreasing the number of units. **Alan Cottle** said the seep can easily be mitigated from the property. He said he understands the concern, but also recognizes that many new homes often displace wildlife. He said it can be a two-edged sword; in his Bountiful neighborhood, some of the neighbors hate the wildlife and others enjoy it. He said the challenge with this property is that the land is very expensive and very desirable. People want to move to Farmington, and are willing to pay market rate to do so, but that also means the property is very expensive. He said he would happily decrease the number of units, but the current property owner will not budge on the price of the property. He said decreasing the number of units would then make it financially unfeasible for him to develop. He said their other option was leaving an open space area on the south area of the property, but the crash gate was a priority for the Fire Marshall, so it had to be included. He said he is open to other suggestions to make the property fit in the area and maintain the quality of life for the surrounding property owners. He said they also plan to have the project fully landscaped with lots of natural, beautiful trees.

**Alan Cottle** also said there have been concerns about disrupting the surrounding neighbors with construction. He said this project could be completed very quickly with a compressed construction

schedule. He also added that the improvements to their frontage of the road would have to be completed prior to an occupancy permit being issued. He said he hopes the construction of this project does not feel “new,” but fits with the architecture of the historic district.

**Rebecca Wayment** suggested tabling the item so a tour of the site can take place. **Alan Cottle** said he would be happy to host a tour of the site; he suggested that it be scheduled in the near future before it snows. **Bret Gallacher** said he is in support of touring the site. He said he does not have any concerns with the density, but would like to better understand the topography of the property. He wants to ensure it is safe and approvable. **Alan Cottle** said he would have his survey crew also meet the commissioners there to help them better understand what they are describing for the project. He said he will also provide elevations of the units for the tour.

***Motion:***

**Connie Deianni** made a motion that the Planning Commission table the item until the commissioners can visit the site and look at the elevations, and delegate to staff to determine best time for the commissioners, staff, and the applicant to meet. **Kent Hinckley** seconded the motion, which was unanimously approved.

\***Roger Child** recused himself from voting on this item due to a personal conflict.

\*The site tour was then scheduled for November 9, 2017. In addition to the applicant and staff, Commissioners **Connie Deianni**, **Kent Hinckley** and **Rebecca Wayment** were available to attend.

**OTHER**

**Item #5. Miscellaneous: a) other**

**David Petersen** referenced the Bike Crash Analysis that was provided in the staff report. He said there is often a disconnect between city fire departments wanting wider roads for faster fire truck access and city planners wanting narrower roads for pedestrian safety. He feels this analysis provides further insight that will be beneficial for the City’s review.

**ADJOURNMENT**

***Motion:***

At 8:47 p.m., **Rebecca Wayment** made a motion to adjourn the meeting, which was unanimously approved.



---

**Alex Leeman**  
Acting Chair, Farmington City Planning Commission